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**Facsimile Transmittal Cover Sheet**

**Date:** August 1, 2005

**To:** Lori Baker Amerson

**Company:** USPTO

**Fax:** 571-273-4971

**Phone:**

**From:** Robert H. Earp, III

**Client Code No:** 25737

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PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

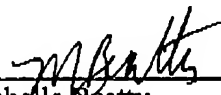
In re application: Alexander Greenspan et al. Group Art Unit: 3764  
Serial No.: 10/696,493 Examiner: Lori Baker Amerson  
Filing Date: Oct. 29, 2003 Docket No.: 25737-00002  
Title: EXERCISE DEVICE HAVING A ROTATABLY TILTABLE PLATFORM

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this Supplemental Response to Office Action and attached 1 page document are being faxed via no. (571) 273-4971 to Examiner, Lori Baker Amerson on August 1, 2005.

By:

  
\_\_\_\_\_  
Michelle Beatty

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**SUPPLEMENT RESPONSE TO OFFICE ACTION**


Dear Sir:

Applicants acknowledge receipt of an action entitled "Non-responsive amendment" mailed on July 13, 2005. After a brief teleconference with Examiner Amerson, Applicants understand that our Office Action Response mail on April 4, 2005, failed to explicitly recite how newly added dependent claims 25 and 26 were allowable over the art. As such, Examiner Amerson has requested that Applicants add a brief statement to the Remarks sections of the April 4 Response and transmit via facsimile to 571-273-4971. Therefore, attached hereto is the amended last page of the April 4 Response.

(718038:)

Should there be any further issues regarding the April 4 Response or this Supplemental Response, please contact undersigned counsel.

Respectfully submitted,



Robert H. Earp, III Reg. No. 41,004  
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Date: Aug 1, 2005

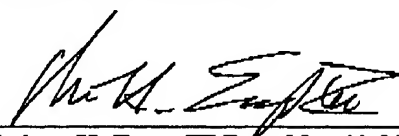
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are unclear how claims 3 and 4 can be rejected as having functional language and such a rejection is not provided for claims 18 and 19. Therefore, Applicants respectfully request that the Examiner explicitly retract this functional language objections and indicate that all claim language has been fully considered during patentability.

New claims 25 and 26 have been added for the Examiner's consideration. New claim 25 is ultimately dependent from independent claim 1 and new claim 26 is ultimately dependent from independent claim 12, their subject matter being found at paragraph 37 of the application as filed. Because Applicants believe claims 1 and 12 are allowable over the art as described above, these newly added dependent claims are likewise allowable over the art. Therefore, early allowance is respectfully requested.

Should the Examiner have any questions pertaining to the above, undersigned Counsel would welcome a phone call to provide any further clarification. Therefore, based upon the above, Applicants respectfully submit that the application is now in condition for allowance.

Respectfully submitted,



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Date: Aug 1, 2005  
*Previously submitted 7/4/05*

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